

**Date:** March 27, 2013**Texas Works Bulletin Number: #13-07****To:** Central Benefit Services  
Regional Director  
Program Managers  
Eligibility Services Supervisors  
Regional Attorneys  
Hearings Officers**From:** Stephanie Stephens  
Director Policy Strategy, Analysis, and Development  
State Office 2115**Subject:** 1. Medicaid for Inmates of a Public Institution - Revised

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This bulletin is being sent to supervisors and other regional managers. Supervisors must share this information with all Centralized Benefits Services (CBS) Texas Works staff. Please ensure copies are provided to CBS staff that do not have access to e-mail. If you have any questions regarding the policy information in this bulletin, follow regional procedures. Active bulletins are posted on the Texas Works Handbook (TWH) website at <http://www.dads.state.tx.us/handbooks/TexasWorks/>.

## **1. Medicaid for Inmates of a Public Institution - Revised**

### **Background**

The Texas Department of Criminal Justice (TDCJ) currently pays for medical services provided to inmates using state general revenue funds. Federal law prohibits Medicaid federal funding for services provided to an inmate of a public institution, except when an inmate is a patient in a medical institution. Based on existing federal guidance, inmates must meet certain requirements to qualify for Medicaid services.

### **Current Policy**

Inmates of a public institution are not eligible for Medicaid coverage at any time during their incarceration.

## New Policy

**[CLARIFICATION: These policies and processes only apply to inmates of TDCJ and do not apply to any other state, county, or city jails, at this time. Applications are submitted only by the University of Texas Medical Branch at Galveston to HHSC.]**

An inmate of a public institution is eligible for Medicaid coverage if the following conditions are met:

- The inmate must meet Medicaid eligibility requirements. Inmates who are pregnant and children through age 18 could meet current Texas Medicaid eligibility requirements.
- The inmate receives inpatient services. Only inpatient services are eligible for Medicaid federal funding.
- Inpatient services are provided by a hospital that is not on the premises of a prison, jail, detention center, or other penal setting, including a facility run by a private health care entity.

The Medicaid coverage is limited to the specific days the inmate is admitted as a patient receiving inpatient services as verified by the medical provider. The new Form H1046, Inpatient Medical Services Certification, was created to verify these dates. The TDCJ or its designee will submit the completed Form H1046, along with the Medicaid application.

If the inmate is ineligible due to U.S. citizenship or alien status, TDCJ will also include a completed Form H3038, Emergency Medical Services Certification. The ineligible inmate is only eligible for those dates verified as an emergency even if the inpatient treatment continues after the verified emergency dates.

These individuals are only eligible for prior Medicaid coverage.

## Process

The TDCJ or its designee will use a specific fax coversheet to identify these applications as an application for Medicaid for an incarcerated individual and fax to 1 (877) 447-2839. For an example of the fax coversheet see attached.



TDCJ Cover Sheet  
032613.pdf

The TDCJ or its designee will submit to HHSC the following documents:

- Form H1010, Texas Works Application for Assistance - Your Texas Benefits Application, on behalf of the inmate the month following the month the eligible hospital bill was incurred;
- Form H1046, Inpatient Medical Services Certification; and
- All other required verification such as verification of identity, U.S. citizenship, etc.

**Note:** If required information/verification is not received, staff must call BJ Wagner at 512-465-5100 or send secure email to [benniejo.wagner@tdcj.state.tx.us](mailto:benniejo.wagner@tdcj.state.tx.us).

These applications are a specialized caseload and will be processed only by HHSC's Centralized Benefit Services (CBS). Once the Form H1010 application is received, staff must

manually create a Task List Manager (TLM) task and route it to the HHSC CBS-Central Time queue. The CBS clerk must then perform, if needed, Application Registration, and assign the task to a CBS worker.

Prior to processing the application, CBS must review and follow instructions issued in Contingency Processing Method (CPM) #296546.



CPM 296546 -  
Coverage for Incarcer

Once disposed, the HHSC CBS worker sends a TF0001, Notice of Case Action, to the address and representative provided by TDCJ on the Form H1010, Texas Works Application for Assistance - Your Texas Benefits Application.

### **Automation**

A modification has been requested, but has not been scheduled for release. Prior to disposing the case action, staff must review and follow Contingency Processing Method (CPM) (#296546).

### **Effective Date**

The policy is effective March 1, 2013.

### **Texas Works Handbook**

The handbook will be updated with the July 2013 revision.

### **Forms**

Form H1046, Inpatient Medical Services Certification, is used to verify the inpatient service provided.



H1046.doc

### **Training**

There is no additional training required.